IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

In Re: Ethicon Inc., Pelvic Repair System Products Liability Litigation
MDL No. 2327

Civil Action No. ____________

SHORT FORM COMPLAINT

Come now the Plaintiff(s) named below, and for Complaint against the Defendants named below, incorporate The First Amended Master Complaint in MDL No. 2327 by reference. Plaintiff(s) further show the court as follows:

1. Plaintiff

   James C. Bell

2. Plaintiff's Spouse (if applicable)

   Kimberly K. Bell

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator)

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4. State of Residence

   Louisiana

5. District Court and Division in which venue would be proper absent direct filing.

   3rd Judicial District Court for the Parish of Lincoln

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6. Defendants (Check Defendants against whom Complaint is made):

   ☒ A. Ethicon, Inc.

   ☒ B. Ethicon, LLC

- [x] C. Johnson & Johnson
- [ ] D. American Medical Systems, Inc. (“AMS”)
- [ ] E. Boston Scientific Corporation
- [ ] F. C. R. Bard, Inc. (“Bard”)
- [ ] G. Sofradim Production SAS (“Sofradim”)
- [ ] H. Tissue Science Laboratories Limited (“TSL”)
- [ ] I. Mentor Worldwide LLC
- [ ] J. Coloplast Corp.

7. Basis of Jurisdiction

- [x] Diversity of Citizenship
- [ ] Other: ________________________________

A. Paragraphs in Master Complaint upon which venue and jurisdiction lie:

9-11

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B. Other allegations of jurisdiction and venue:

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8. Defendants' products implanted in Plaintiff (Check products implanted in Plaintiff)

- ☐ Prolift
- ☐ Prolift +M
- ☐ Gynemesh/Gynemesh PS
- ☐ Prosima
- ☐ TVT
- ☐ TVT-Obturator (TVT-O)
- ☐ TVT-SECUR (TVT-S)
- ☐ TVT-Exact
- ☐ TVT-Abbrevo
- ☒ Other

Prolene Soft Mesh

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9. Defendants' Products about which Plaintiff is making a claim. (Check applicable products):

- ☐ Prolift
- ☐ Prolift +M
- ☐ Gynemesh/Gynemesh PS
- ☐ Prosima
- ☐ TVT
- ☐ TVT-Obturator (TVT-O)
- ☐ TVT-SECUR (TVT-S)
- ☐ TVT-Exact
- ☐ TVT-Abbrevo

☒ Other

Prolene Soft Mesh

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10. Date of Implantation as to Each Product:

10/04/04

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11. Hospital(s) where Plaintiff was implanted (including City and State):

Willis-Knighton Medical Center

2600 Greenwood Road, Shreveport, LA, 71103

318-212-4000

12. Implanting Surgeon(s):

Charles R. Byrd, M.D.

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13. Counts in the Master Complaint brought by Plaintiff(s):

☒ Count I – Negligence

☒ Count II – Strict Liability – Manufacturing Defect

☒ Count III – Strict Liability – Failure to Warn

☒ Count IV – Strict Liability – Defective Product

☒ Count V – Strict Liability – Design Defect

☒ Count VI – Common Law Fraud

☒ Count VII – Fraudulent Concealment

☒ Count VIII – Constructive Fraud

☒ Count IX – Negligent Misrepresentation

☒ Count X – Negligent Infliction of Emotional Distress

☒ Count XI – Breach of Express Warranty

☒ Count XII – Breach of Implied Warranty

☒ Count XIII – Violation of Consumer Protection Laws

☒ Count XIV – Gross Negligence

☒ Count XV – Unjust Enrichment

☒ Count XVI – Loss of Consortium

☒ Count XVII – Punitive Damages

☒ Count XVIII – Discovery Rule and Tolling

☒ Other Count(s) (Please state factual and legal basis for other claims below):

Emotional/psychological injury beyond usual pain and

suffering____

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Address and bar information:

s/ Cameron N.E. Landry

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